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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,996	02/19/2002	Leif Carlson	39035/240676	7128

826 7590 04/04/2006

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EXAMINER

BOYCE, ANDRE D

ART UNIT PAPER NUMBER

3623

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/079,996	CARLSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andre Boyce	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/19/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-27 have been examined.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "16," "18," and "32."

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 11-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites the limitation "the one person.". There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the maintenance data parameter." There is insufficient antecedent basis for this limitation in the claim. Claims 13 and 14 are rejected based upon the same rationale, since they depend therefrom.

Claims 15, 19, 20, and 22-27 are rendered vague and indefinite for use of the phrase "adapted to." This language suggests or makes optional, but does not necessarily limit the scope of the claim. See MPEP 2106. Claims 16-18 and 21 are rejected based upon the same rationale, since they depend from claim 15.

Claim 21 is rendered vague and indefinite for use of the phrase "capable of." This language suggests or makes optional, but does not necessarily limit the scope of the claim. See MPEP 2106.

Claim 25 recites the limitation "the out of specification parameter." There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, III (US 2003/0130820), in view of Melby et al (USPN 6,952,680).

As per claim 1, Lane, III discloses a method of assigning and reporting a plurality of preventive maintenance work orders (i.e., database work order system to maintain maintenance records, ¶ 0007), a work order including equipment data (i.e., appliances, ¶ 0008), scheduling data (scheduled maintenance, ¶ 0008), and a checklist associated with a required maintenance procedure (i.e., electronic decision hierarchy utilized to select solutions, ¶ 0008), the method comprising: storing a plurality of preventative maintenance workorders in a database (database 14, ¶ 0015); assigning at least one workorder to at least one person (i.e., assignment by supervising technician, ¶ 0017); and reporting maintenance data on the checklist by the assigned at least one person (i.e., technician accesses hierarchy and selects options, ¶ 0023); storing the checklist including maintenance data in the database (i.e., the data entered is stored in database 14, ¶ 0020). Lane, III does not disclose automatically identifying maintenance data exceeding an out of specification tolerance from the maintenance data reported on the checklist; and automatically notifying responsible personnel of the maintenance data exceeding the out of specification tolerance. Melby et al disclose the analysis controller 51, based upon the updated information from the maintenance invoice, determining whether usage had elapsed in comparison to a predetermined standard and generating a delivery report to be delivered to the person or entity that owned or operated the asset (column 10, lines

12-28). Both Lane, III and Melby et al are concerned with effective maintenance of equipment, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying maintenance data exceeding an out of specification tolerance from the maintenance data reported on the checksheet; and automatically notifying responsible personnel in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

As per claim 2, Lane, III does not disclose identifying a level of criticality of the maintenance data exceeding the out of specification tolerance and identifying the responsible personnel based on the level of criticality. Melby et al disclose that if a specific fault has been generated, notifying a specialized maintenance organization (column 10, lines 31-34). Both Lane, III and Melby et al are concerned with effective maintenance of equipment, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying a level of criticality of the maintenance data exceeding the out of specification tolerance and identifying the responsible personnel in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

As per claim 3, Lane, III discloses downloading the checksheet to a handheld wireless interface for reporting the maintenance data on the downloaded checksheet

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and subsequently uploading and storing maintenance data to the database (i.e., hierarchy is downloaded and completed via PDA 30, ¶ 0022-23, figure 1).

As per claim 4, Lane, III discloses prohibiting access to the checksheet in the database until after the step of storing the maintenance data on the checksheet to the database (i.e., the completed work order is not logged onto the system until the technician logs the completion into the system, thus prohibiting access, ¶ 0020).

As per claim 5, Lane, III discloses selectively limiting access to the workorders in the database to designated personnel, the designated personnel being identified by a login identification code (i.e., security needed to establish communication link with system 20, ¶ 0016).

As per claim 10, Lane, III discloses releasing the assigned work order (i.e., supervisor communicates with selected technician, ¶ 0018); selectively limiting access to the work order to the supervisor prior to release (i.e., work order is transmitted to the supervising technician, ¶ 0017); and selectively limiting access to the work order to the supervisor and the assigned person after release (i.e., limiting access to work order status at various levels, as required ¶ 0034).

As per claim 11, Lane, III discloses assigning a work order to a group (i.e., available roster of technicians and office personnel, ¶ 0017) and permitting selection of the work order by a member of the group (i.e., selection by the office personnel of technician 32, ¶ 0017), wherein the reporting and storing steps are performed by the member of the group selecting the work order (i.e., technician 32, ¶ 0019) method further comprising selectively limiting access to the work order to the supervisor and

the one person (i.e., limiting access to work order status at various levels, as required ¶ 0034).

As per claim 12, Lane, III discloses a method of storing a preventative maintenance work order in a database (i.e., database work order system to maintain maintenance records, ¶ 0007), a work order including equipment data (i.e., appliances, ¶ 0008), scheduling data (scheduled maintenance, ¶ 0008), and a checksheet associated with a required maintenance procedure (i.e., electronic decision hierarchy utilized to select solutions, ¶ 0008), the method comprising: receiving the equipment data and the scheduling data (i.e., warranty information and scheduled maintenance, ¶ 0008); providing data cells for construction of the checksheet (i.e., hierarchy list with various options, ¶ 0023); associating each data cell of the checksheet with a respective type of maintenance data (i.e., hierarchy screen listing, ¶ 0023); and storing the equipment data, the scheduling data, the checksheet, and the at least one responsible person in the database (database 14, ¶ 0015). Lane, III does not disclose identifying an out of specification tolerance for the maintenance data parameter; and identifying at least one responsible person for notification of maintenance data exceeding out of specification tolerance. Melby et al disclose the analysis controller 51, based upon the updated information from the maintenance invoice, determining whether usage had elapsed in comparison to a predetermined standard and generating a delivery report to be delivered to the person or entity that owned or operated the asset (column 10, lines 12-28). Both Lane, III and Melby et al are concerned with effective maintenance of equipment, therefore it would have been



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obvious to one having ordinary skill in the art at the time the invention was made to include identifying an out of specification tolerance for the maintenance data parameter; and identifying at least one responsible person in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

As per claims 13 and 14, Lane, III does not disclose identifying a second out of specification tolerance for the same maintenance data parameter, each out of specification tolerance being identified according to a respective level of criticality, and identifying at least one responsible person for notification of maintenance data exceeding the second out of specification tolerance. Melby et al disclose that if a specific fault has been generated, notifying a specialized maintenance organization (column 10, lines 31-34). Both Lane, III and Melby et al are concerned with effective maintenance of equipment, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying a level of criticality of the maintenance data exceeding the out of specification tolerance and identifying the responsible personnel in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

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7. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, III (US 2003/0130820), in view of Melby et al (USPN 6,952,680), in further view of Rosnow et al (US 2003/0106039).

As per claim 6, neither Lane, III nor Melby et al disclose providing a plurality of electronic mailboxes, each mailbox corresponding to a login identification code; and automatically routing the workorder to the electronic mailbox of a designated supervisor for assigning to the at least one person prior to a predetermined due date. Rosnow et al disclose the user's unique identifier recognized by the system, including the project e-mail (§ 0046), wherein e-mail is sent to project team leader (i.e., supervisor) with corresponding task (i.e., work order) and status information, and e-mailing team members (i.e., assigned person) their task assignments (§ 0069). Lane, III, Melby et al, and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include each mailbox corresponding to a login identification code; and automatically routing the work order to the electronic mailbox of a designated supervisor for assigning to the at least one person prior in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 7, neither Lane, III nor Melby et al disclose automatically routing the assigned work order to the electronic mailbox of the assigned person. Rosnow et al disclose the e-mailing team members (i.e., assigned person) their task assignments (§ 0069). Lane, III, Melby et al, and Rosnow et al are concerned with efficient task

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scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include routing the assigned work order to the electronic mailbox of the assigned person in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 8, neither Lane, III nor Melby et al disclose automatically routing the work order to the electronic mailbox of the supervisor upon completion of the checksheet. Rosnow et al disclose the user's unique identifier recognized by the system, including the project e-mail (§ 0046), wherein e-mail is sent to project team leader (i.e., supervisor) when a task is completed (§ 0069). Lane, III, Melby et al, and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include routing the work order to the electronic mailbox of the supervisor upon completion in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 9, Lane, III discloses automatically rescheduling a periodically recurring work order to a due date according to a predefined periodicity upon completion of the work order (i.e., scheduled maintenance data updated upon completion of a work order, § 0008).

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8. Claims 15-23, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, III (US 2003/0130820), in view of Rosnow et al (US 2003/0106039).

As per claim 15, Lane, III discloses a system for assigning and reporting a plurality of preventive maintenance work orders (i.e., database work order system to maintain maintenance records, ¶ 0007), a work order including equipment data (i.e., appliances, ¶ 0008), scheduling data (scheduled maintenance, ¶ 0008), and a checksheet associated with a required maintenance procedure (i.e., electronic decision hierarchy utilized to select solutions, ¶ 0008), the system comprising: a central computer (central host server 12, ¶ 0015); a database in communication with said central computer for storing preventative maintenance work orders (database 14, ¶ 0015); a supervisor interface adapted to view the preventative maintenance workorders, assign the preventative maintenance workorders to at least one technician (i.e., PDA of the supervising technician, ¶ 0017), and release the workorder to the at least one technician (i.e., supervisor directly communicates with technician, ¶ 0018); a technician interface adapted to view a released workorder assigned to the respective technician, complete the checksheet by inserting maintenance data to the checksheet (i.e., technician PDA 30, ¶ 0017-0018), and store the completed checksheet in the database (database 14, ¶ 0015); and a computer network interconnecting the central computer, the technician interface, and the supervisor interface (i.e., LAN or internet, ¶ 0016). Lane, III does not disclose a supervisor interface including a first electronic mailbox and a technician interface

including a second electronic mailbox. Rosnow et al disclose project e-mail retrieved and sent via the web page, wherein the user's unique identifier recognized by the system, including the project e-mail (§ 0046). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include interfaces including electronic mailboxes in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 16, Lane, III discloses the supervisor interface and technician interface each comprise a respective computer device including a display device and an input device (PDA 30, § 0017).

As per claim 17, Lane, III does not disclose first and second electronic mailboxes are only accessible by entry of respective login identification codes. Rosnow et al disclose project e-mail retrieved and sent via the web page, wherein the user's unique identifier recognized by the system, including the project e-mail (§ 0046). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include first and second electronic mailboxes only accessible by entry of respective login identification codes in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 18, Lane, III discloses the computer network is selected from the group consisting of a local area network, wide area network or intranet (i.e., LAN or internet, § 0016).

As per claim 19, Lane, III does not disclose the computer devices are adapted to access the first and second electronic mailboxes via an HTML browser. Rosnow et al disclose project e-mail retrieved and sent via the web page, including an HTML browser ( ¶¶ 0046 and 0050). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include accessing the first and second electronic mailboxes via an HTML browser in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 20, Lane, III discloses a portable handheld computer device adapted to download a copy of the checksheet, complete the checksheet copy, and upload the completed checksheet copy to store the checksheet in the database (PDA 30, ¶ 0017).

As per claim 21, Lane, III discloses the portable handheld computer comprises a wireless computing device capable of communicating with the computer network via a wireless communication connection (PDA 30, ¶ 0017).

As per claim 22, Lane, III discloses the central computer is adapted to prohibit access to the checksheet in the database after the copy of the checksheet is downloaded and before the completed checksheet is uploaded and stored to the database (i.e., the completed work order is not logged onto the system until the technician logs the completion into the system, thus prohibiting access, ¶ 0020).

As per claim 23, Lane, III discloses the central computer is adapted to automatically route the completed checksheet to the first electronic mailbox of the

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supervisor interface. Rosnow et al disclose the user's unique identifier recognized by the system, including the project e-mail (§ 0046), wherein e-mail is sent to project team leader (i.e., supervisor) when a task is completed (§ 0069). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include routing the work order to the electronic mailbox of the supervisor upon completion in Lane, III, as seen in Rosnow et al, thus providing for efficient transmission of information in Lane, III.

As per claim 26, Lane, III does not disclose the electronic mailbox of the supervisor interface is adapted to provide an icon corresponding to a work order and to provide a graphic calendar such that the icon is positionable over a date on the calendar for scheduling maintenance activities in accordance with the work order on that date. Rosnow et al disclose an e-mail reporting function including viewing project timelines including a Gantt chart and browser based documents (§ 0074). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the electronic mailbox of the supervisor interface is adapted to provide an icon corresponding to a work order and to provide a graphic calendar such that the icon is positionable over a date on the calendar in Lane, III, as seen in Rosnow et al, thus providing for efficient organization of information in Lane, III.

As per claim 27, Lane, III does not disclose the electronic mailbox of the supervisor interface is adapted to provide a checkbox corresponding to each of the plurality of work orders and a plurality of checkboxes are selectable in order to assign all of the selected work orders to at least one person. Rosnow et al disclose a project leader able to define and change task assignments, including an interface for entering changes to tasking (§ 0075). Lane, III and Rosnow et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include electronic mailbox of the supervisor interface is adapted to provide a checkbox corresponding to each of the plurality of work orders and a plurality of checkboxes are selectable in order to assign all of the selected work orders in Lane, III, as seen in Rosnow et al, thus providing for efficient organization of information in Lane, III.

9. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, III (US 2003/0130820), in view of Rosnow et al (US 2003/0106039), in further view of Melby et al (USPN 6,952,680)

As per claim 24, neither Lane, III nor Rosnow et al disclose the central computer is adapted to automatically route maintenance data exceeding an out of specification tolerance to designated personnel. Melby et al disclose the analysis controller 51, based upon the updated information from the maintenance invoice, determining whether usage had elapsed in comparison to a predetermined standard and generating a delivery report to be delivered to the person or entity that owned or



operated the asset (column 10, lines 12-28). Lane, III, Rosnow et al, and Melby et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include automatically routing maintenance data exceeding an out of specification tolerance to designated personnel in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

As per claim 25, neither Lane, III nor Rosnow disclose the central computer is adapted to automatically route the maintenance data exceeding the out of specification tolerance to personnel according to a predetermined criticality of the out of specification parameter. Melby et al disclose that if a specific fault has been generated, notifying a specialized maintenance organization (column 10, lines 31-34). Lane, III, Rosnow et al, and Melby et al are concerned with efficient task scheduling and completion, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include automatically route the maintenance data exceeding the out of specification tolerance to personnel according to a predetermined criticality in Lane, III, as seen in Melby et al, as a means of advising the entity that the time has arrived for the performance of maintenance (see Melby et al, column 10, lines 28-31), thus making the system of Lane, III more robust and flexibly.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Debber et al (US 2005/0235061) disclose reviewing and tracking workflow tasks.

-Schlabach et al (USPN 6950829) disclose training service personnel to service selected equipment.

-Beamon (USPN 6845148) disclose proactive maintenance tasks.

-Zaks et al (US 2003/0078798) disclose a computerized maintenance system.

-Scheer (US 2002/0161674) disclose fulfilling an order in a supply chain.


-Wepfer et al (US 2003/0065522) disclose a computer maintenance and repair network.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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adb  
March 19, 2006

  
ANDRE BOYE  
PATENT EXAMINER  
AU 3623